

Carsten, Douglas

From: mak@kramerlawip.com
Sent: Tuesday, April 01, 2008 12:42 PM
To: Carsten, Douglas
Cc: michael@kalerlaw.com; Nye, Debra
Subject: Re: Sorensen v Sanyo

Dear Mr. Carsten:

Thank you for checking in with me again about this issue. Due to our current knowledge and investigation, we are not going to be in a position to stipulate to a stay of this case. As your firm is reporting to its colleagues, reexaminations are averaging 5-7 years rather than the approximate 2 years reported by the PTO. This undermines a material assumption made by Judge Moskowitz in his Black & Decker order of stay and warrants further review.

Melody Kramer

> ----- Original Message -----

> From: "Carsten, Douglas" <DCarsten@foley.com>

> To: mak@kramerlawip.com

> Subject: Re: Sorensen v Sanyo

> Date: Tue, 1 Apr 2008 07:03:39 -0700

>

> Hello Ms. Kramer,

>

> Please let me know when you expect to be in a position to share

> Sorensen's stay proposal.

> Thanks very much in advance.

>

> Doug Carsten

> Sent from my Blackberry wireless handheld.

>

> ----- Original Message -----

> From: mak@kramerlawip.com <mak@kramerlawip.com>

> To: Carsten, Douglas

> Cc: michael@kalerlaw.com

> <michael@kalerlaw.com>; esbjork@gmail.com <esbjork@gmail.com>

> Sent: Wed Mar 05 08:28:11 2008

> Subject: RE: Sorensen v Sanyo

>

> Dear Mr. Carsten,

>

> I will prepare a stipulation and forward it to you promptly. I am out

> of town today, but should have it ready for you tomorrow. Also, we

> will endeavor to have a proposal regarding discovery to you by March

> 31st.

>

> Sincerely,

>

> Melody A. Kramer

> > ----- Original Message -----

> > From: "Carsten, Douglas" <DCarsten@foley.com>

> > To: mak@kramerlawip.com

> > Subject: RE: Sorensen v Sanyo

> > Date: Tue, 4 Mar 2008 13:51:00 -0800

> >

> >

> > Hello Ms. Kramer,

> >

> > Thank you for your email. Sanyo accepts your offer of an additional

> > thirty days in which to respond to the complaint. By my

> > calculation, that would place Sanyo's response date up to and

> > including April 9, 2008. If my calculation is incorrect, please do
> > not hesitate to let me know. In addition, please let me know if you
> > would be so kind as to prepare a suitable stipulation acceptable to Sorensen for my
review.

> >
> > I presume from your email that this extension will serve to allow
> > you to further determine the terms Sorensen would request in
> > connection with a proposed partial stay. I would appreciate your
> > providing to me whatever proposal Sorensen has in mind for such a
> > partial stay on or before March 31, 2008 so that Sanyo has
> > appropriate time to digest your proposal in advance of the response
> > date. I would also request that such a proposal specifically set
> > forth what discovery (if any) Sorensen would request in connection
> > with such a partial stay. Please let me know at your earliest
> > convenience if you agree to providing that information in the stated timeframe.

> >
> > I look forward to hearing from you.

> >
> > Truly yours,
> >
> > Doug Carsten

> >
> > -----Original Message-----
> > From: mak@kramerlawip.com [mailto:mak@kramerlawip.com]
> > Sent: Tuesday, March 04, 2008 9:59 AM
> > To: Carsten, Douglas
> > Cc: michael@kaler.com
> > Subject: Sorensen v Sanyo

> >
> > Dear Mr. Carsten:

> >
> > Thank you for your email of February 28th.
> > Based on some recent developments, I will not be in a position to
> > forward you a proposed stipulation for partial stay of this case yet.
> > Comments by Judge Moskowitz in a related proceeding (transcript
> > attached), as well as new information that we presented to the Court
> > in opposition to another motion for stay (memorandum attached),
> > place the entire landscape of the scope and duration of any stay
> > that the Court may enter in substantial question.

> >
> > If Sanyo would like to have an additional 30 days before having to
> > respond to the Complaint, we are amenable to such a stipulation.

> >
> > Melody A. Kramer
> > Kramer Law Office, Inc.
> > 9930 Mesa Rim Road, Suite 1600
> > San Diego, CA 92121
> > 858/362-3150 direct
> > 858/824-9073 fax

> >
> > This email and any attachments thereto is confidential and may be
> > covered by attorney-client and/or work product privileges.
> > If you have inadvertently received this email, please immediately
> > reply to the sender and destroy all electronic and paper copies of
> > the email and/or attachments.

> >
> >
> > The preceding email message may be confidential or protected by the
> > attorney-client privilege.
> > It is not intended for transmission to, or receipt by, any
> > unauthorized persons. If you have received this message in error,
> > please (i) do not read it, (ii) reply to the sender that you
> > received the message in error, and (iii) erase or destroy the
> > message. Legal advice contained in the preceding message is solely
> > for the benefit of the Foley & Lardner LLP
> > client(s) represented by the Firm in the particular matter that is
> > the subject of this message, and may not be relied upon by any other

> > party.
 > >
 > >
 > > Internal Revenue Service regulations require that certain types of
 > > written advice include a disclaimer. To the extent the preceding
 > > message contains advice relating to a Federal tax issue, unless
 > > expressly stated otherwise the advice is not intended or written to
 > > be used, and it cannot be used by the recipient or any other
 > > taxpayer, for the purpose of avoiding Federal tax penalties, and was
 > > not written to support the promotion or marketing of any transaction
 > > or matter discussed herein.

>
 > >
 >
 >
 >

> Melody A. Kramer
 > Kramer Law Office, Inc.
 > 9930 Mesa Rim Road, Suite 1600
 > San Diego, CA 92121
 > 858/362-3150 direct
 > 858/824-9073 fax

> This email and any attachments thereto is confidential and may be
 > covered by attorney-client and/or work product privileges.
 > If you have inadvertently received this email, please immediately
 > reply to the sender and destroy all electronic and paper copies of the
 > email and/or attachments.

>
 >
 > The preceding email message may be confidential or protected by the
 > attorney-client privilege.
 > It is not intended for transmission to, or receipt by, any
 > unauthorized persons. If you have received this message in error,
 > please (i) do not read it, (ii) reply to the sender that you received
 > the message in error, and (iii) erase or destroy the message. Legal
 > advice contained in the preceding message is solely for the benefit of
 > the Foley & Lardner LLP
 > client(s) represented by the Firm in the particular matter that is the
 > subject of this message, and may not be relied upon by any
 > other party.

>
 >
 > Internal Revenue Service regulations require that certain types of
 > written advice include a disclaimer. To the extent the preceding
 > message contains advice relating to a Federal tax issue, unless
 > expressly stated otherwise the advice is not intended or written to be
 > used, and it cannot be used by the recipient or any other taxpayer,
 > for the purpose of avoiding Federal tax penalties, and was not written
 > to support the promotion or marketing of any transaction or matter
 > discussed herein.

>

>

Melody A. Kramer
 Kramer Law Office, Inc.
 9930 Mesa Rim Road, Suite 1600
 San Diego, CA 92121
 858/362-3150 direct
 858/824-9073 fax

This email and any attachments thereto is confidential and may be covered by attorney-client and/or work product privileges. If you have inadvertently received this email, please immediately reply to the sender and destroy all electronic and paper copies of the

email and/or attachments.